

NO. 5:12-CT-3246-FL

Defendants.

ORDER

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Plaintiff's amended pleadings are unclear and he must particularize his action. Specifically, plaintiff must name the party responsible for his alleged deprivation, the injury stemming from the party's actions or inactions, and the alleged facts to support his claim. Plaintiff further is on notice that he must connect the named defendant with the alleged conduct which resulted in the alleged constitutional violation. Additionally, the court notifies plaintiff that his amended complaint will be considered his complaint in its entirety, and the court will not review plaintiff's other filings to glean any misplaced claims. The court further warns plaintiff that his response must be limited to the subject matter of his action, and is not an invitation to make additional, unrelated allegations. Because the court has provided plaintiff the opportunity to particularize his pleadings, plaintiff's remaining motion to amend is DENIED as moot.

B. Discovery Motions

Plaintiff filed three motions to compel discovery. These motions, however, fail to comply with Federal Rule of Civil Procedure 37(a) and Local Rule 7.1(c) of the Local Rules of Practice and Procedure, which require that the movant certify that there has been a good faith effort to resolve discovery disputes prior to the filing of any discovery motions. Further, the court, in a subsequent order, will issue a case management order addressing the appropriate time period for discovery. Thus, plaintiff's motions to compel are DENIED as premature.

As for plaintiff's motion to amend his request for admissions and his motion "to reveal name and informant[.]" these motions seek discovery materials from defendants and must be directed to defendants and not the court. Thus, these motions are DENIED.

C. Motion in Limine and Motion to Reveal Name

Plaintiff, in his motion, requests that the “court order the state to disclose the prior criminal history and records of all state’s witnesses and records of state’s witnesses known as C.S.-1.” (DE 38), p. 1. Plaintiff, however, has misconstrued the purpose of a motion in limine, which is to allow the trial court to rule in advance of trial on the admissibility and relevance of certain forecasted evidence. Luce v. United States, 469 U.S. 38, 40 n.2 (1984). Here, plaintiff is not seeking a ruling on the admissibility of evidence. Rather, plaintiff’s motion seeks a court order directing defendants to respond to his discovery requests. As stated, plaintiff must make his discovery requests directly to defendants. Based upon the foregoing, plaintiff’s motion in limine is DENIED.

**CONCLUSION**

In summary, plaintiff’s first motion to amend (DE 29) is GRANTED, but his second motion to amend (DE 32) is DENIED as moot. Plaintiff’s motions for discovery (DE 34, 35, 36) are DENIED as premature, and his motion to amend request for admissions (DE 37), motion in limine (DE 38), and motion “to reveal name and informant” (DE 39) are DENIED. Plaintiff is DIRECTED to particularize his action as DIRECTED above within fourteen (14) days of this court’s order. Failure to respond to this court’s order will result in dismissal of this action without prejudice.

SO ORDERED, this the 10th day of October, 2013.



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LOUISE W. FLANAGAN  
United States District Judge